

REMARKS

Claims 1 and 7-44 were presented for examination. Claims 1 and 7-44 were rejected. Applicant seeks to amend independent claims 1, 25, 31 and 39. Reconsideration of the subject application in view of the above changes and the following remarks is respectfully requested.

Rejections under 35 U.S.C. § 102

Claims 1, 7-10, 15-18, 22, 25-33, 37-41 and 43 stand rejected under 35 U.S.C. § 102 as allegedly being unpatentable over U.S. Patent No. 5,930,764 to Melchione et al. (hereinafter Melchione). The Office Action alleges that Melchione discloses or suggests all of the claim elements. In response, Applicant has amended claims 1, 25, 31 and 39 and respectfully traverses the rejection of other pending claims.

Applicant's invention as recited, for example, in claim 1 is directed to a method for providing leads to a sales agent from a lead database. A sales agent, such as a reseller, service agent, or salesperson of goods or services, can request a lead from the lead database and process the lead accordingly. As recited in claim 1, for example, the sales agent selects leads from a lead database and contacts the selected leads to determine the lead's interest in products and/or services. Providing the sales agent that contacts the lead with the ability to select which leads from the lead database he or she wants to contact has at least the advantage of allowing the agent to select and to contact a lead that meets the agent's needs or other criteria.

Melchione describes a sales process support system for a banking institution. A branch manager sends a request for a list of leads to a micromarketing center. The micromarketing center works with the branch manager to create the list of leads for a marketing campaign. (See Melchione, col. 8, l. 66 to col. 9, l. 5.) The branch manager then assigns the leads to personal

bankers based on factors such as workload and availability. The personal bankers then conduct sales sessions with each of the assigned leads. (See Melchione, col. 9, ll. 46-57.)

Consistent with conventional systems, Melchione teaches that the branch manager selects which salesperson (*i.e.*, personal bankers) is assigned to contact the lead. In the present invention, the opposite occurs. That is, the sales agent/service provider asks for and “pulls” leads, while in conventional systems such as Melchione, the salesperson has leads “pushed” to him or her. Melchione fails teach or suggest at least “receiving a lead selection from the sales agent, the lead selection indicating that the sales agent elects to contact the lead” as recited in claim 1.

Further, claim 1 recites an element of “providing a lead from the lead database to the sales agent in response to the lead request, the sales agent for contacting the lead to determine interest in at least one of a product and a service.” In contrast to the claimed aspect of providing a sales agent with a requested lead so that the sales agent can contact the lead, Melchione discloses a system with opposite objectives. As described above, the Melchione system assigns the leads to the personal bankers. Therefore, for at least the foregoing reasons, Melchione further fails to teach or suggest the claimed element of “providing a lead from the lead database to the sales agent in response to the lead request, the sales agent for contacting the lead to determine interest in at least one of a product and a service.”

In addition, independent claims 25, 31 and 39 are patentable for at least the reasons discussed above. For example, Melchione does not teach or suggest “sending a lead selection to the lead database, the lead selection indicating that the sales agent has selected the lead, the sales agent for contacting the lead to determine interest in at least one of a product and a service” as recited in claim 25. Nor does Melchione teach or suggest “a lead control unit communicatively

coupled to the lead unit and configured to provide a lead from the lead database to the sales agent in response to the lead request, the sales agent for contacting the lead to determine interest in at least one of a product and a service” as recited in claim 31 or “program instructions for providing a lead from the lead database to the sales agent in response to the lead request, the sales agent for contacting the lead to determine interest in at least one of a product and a service” as recited in claim 39.

Claims 7-10, 15-18, 22, 26-30, 32-33, 37-38, 40-41 and 43 depend, either directly or indirectly from independent claims 1, 25, 31 and 39. Claims 7-10, 15-18, 22, 26-30, 32-33, 37-38, 40-41 and 43 also include recitations that further define the claimed invention such as but not limited to “removing the lead from the lead database to prevent the lead from being provided to a second sales agent.” Based on their dependence from claims 1, 25, 31 and 39 and other patentable recitations, claims 7-10, 15-18, 22, 26-30, 32-33, 37-38, 40-41 and 43 are also believed to be patentable.

Rejections under 35 U.S.C. § 103

Claims 11-14, 19-21, 23-34, 34-36, 42 and 44 stand rejected under 35 U.S.C. § 102 as allegedly being unpatentable over U.S. Patent No. 5,930,764 to Melchione. Applicant respectfully traverses this rejection.

To overcome the deficiencies of Melchione, the Examiner relies on what is well known in the art. In this regard, the Office Action alleges that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Melchione with what is well known in the art. Applicant respectfully disagrees with the Examiner’s Official Notice and

invites the Examiner to cite a reference that discloses what is alleged to be well known in the art at the time the invention was made.

Further, Applicant submits that even if the proposed combination were proper, such a combination would not have resulted in the claimed invention. Specifically, Melchione does not teach or suggest all of the elements in independent claims 1, 25, 31 and 39.

For example, Melchione does not disclose or suggest at least the claimed feature of “providing a lead from the lead database to the sales agent in response to the lead request, the sales agent for contacting the lead to determine interest in at least one of a product and a service.” As described above, Melchione discloses a system in which branch managers assign or push leads to salespeople, rather than the salespeople requesting or “pulling” the leads.

Claims 11-14, 19-21, 23-34, 34-36, 42 and 44 depend, either directly or indirectly from independent claims 1, 25, 31 and 39. Claims 11-14, 19-21, 23-34, 34-36, 42 and 44 also include recitations that further define the claimed invention such as but not limited to “moving the lead from an active set of the lead database to a selected set of the lead database for a predetermined time period, wherein the leads in the selected set cannot be provided to a second sales agent.” Based on their dependence from claims 1, 25, 31 and 39 and other patentable recitations, claims 11-14, 19-21, 23-34, 34-36, 42 and 44 are also believed to be patentable.

Conclusion

In view of the foregoing arguments, Applicant submits that the claims presently pending in the subject patent application are now in condition for allowance. Prompt consideration and passage to issue are solicited. Applicant believes that all of the stated grounds of rejection set forth by the Examiner in the Office Action have been properly accommodated or addressed. Applicant, therefore, respectfully requests that the Examiner reconsider all presently outstanding rejections and withdraw them. The Examiner is invited to telephone the undersigned representative if it is felt that an interview might be useful for any reason.

Respectfully submitted,
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Date: 26 MAR 03

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